

REMARKS

Status of Claims

By way of the instant amendment, claim 13 has been added. Thus, claims 1-13 remain for examination.

Prior Art Rejection

Claims 1-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chishaki (6,252,949) in view of Kim (6,560,467).

The Examiner's rejections are respectfully traversed.

Applicant's claim 1 has been amended in order to more particularly define applicant's invention and to distinguish the same over the cited art. Amended claim 1 recites as follows:

A foldable portable cellular phone being constructed integrally of a main body with a speech function and of a lid body and, in a manner that said lid body is foldable relative to said main body and of a screen to display operational contents, comprising:

a telephone information registering unit including a telephone directory memory in which a plurality of kinds of incoming sounds each being assigned so as to be associated with each of a plurality of transmitters of incoming calls expected to be transmitted is pre-registered and stored in said telephone directory memory;

a control section to store, when an incoming call that arrived while said foldable portable cellular phone was folded has not yet been responded to, incoming call history information about a transmitter of said incoming call, into an incoming call history storing area in a storing unit:

a switch operative in a first position for providing control signals to said control section to cause said control section to perform functions of searching for said incoming call in said telephone directory memory of said telephone information registering unit and in said incoming call history storing area in said control section and, upon a match resulting from said searching, of outputting one of said plurality of incoming sounds which corresponds to said transmitter of said incoming call as stored in said telephone directory memory; and

wherein, when said incoming call that arrived while said foldable portable cellular phone was folded has not yet been responded to, said incoming sound corresponding to said transmitter of said incoming call is output through operations of said switch and wherein each of a plurality of different incoming calls may be identified by each of a plurality of different incoming sounds.

As may be seen from the above, applicant's claim 1 is directed toward a foldable type cellular phone which includes a telephone information registering unit, a control section and a switch. The telephone information registering unit includes a telephone directory memory in which a plurality of kinds of incoming sounds are stored, each of these plurality of kinds of incoming sounds are assigned to an associated one of a plurality of transmitters of incoming calls which are expected to be transmitted are pre-registered in the information registering unit. These pre-registered incoming calls and associated incoming sounds are stored in the telephone directory memory.

The control section stores incoming history information about the transmitter of an incoming call. This information is stored into an incoming call history storing area in a storing unit of the control section.

Finally, a switch is provided which is operative in a first position for providing control signals to the control section to cause the control section to perform functions of the searching for the incoming call in the telephone directory memory of the telephone information registering unit and also searching in the incoming call history storing area of the control section. Upon a match resulting from these two searches, the control section outputs one of the plurality of incoming sounds which corresponds to the transmitter of the incoming call as stored in the telephone directory memory. In this manner, each of the plurality of different incoming calls may be identified by each of the plurality of incoming sounds.

In contrast, the primary reference of *Chishaki* is directed toward an automatic redial system in which a number found to be busy is automatically redialed a plurality of times. The problem recognized in *Chishaki* is that if the party to be called attempts to call the calling party, the calling party might answer the call but continue the automatic redial process so that upon hanging up with the call, the automatic redial process will again reconnect with the called party thereby adding confusion since the desired call has already taken place.

Chishaki discloses, *inter alia*, an announcing portion

“for notifying a user of specified information in form of voice, light, vibration or a message” (column 5, lines 5-60)

and further discloses that

“when the telephone number of the calling party has identified with the telephone number of the called distant terminal, the main control portion 12 causes the announcing portion 11 to notify a user of having received a call from the same distant terminal being called by the automatic recall function (Steph F122). The announcement may be conducted for example by lighting a specified LED, display a message of receiving a call from a distant terminal to be recalled by the automatic recall function, generating a sound signal or vibrating the device body at a specified frequency for the device being an easily portable telephone set.” (Column 6, lines 22-33).

These portions, and remaining portions of *Chishaki* do not disclose at least the telephone information registering unit which includes a telephone directory memory in which a plurality of kinds of incoming sounds are assigned to be associated with each of a plurality of transmitters of incoming calls which are expected to be transmitted and are preregistered and stored in the telephone directory memory. Indeed, *Chishaki* is only concerned with notifying the user (via voice, light, vibration or a message) if the redialed called party happens to call back when the redialing procedure is operative. This procedure, however, is easily distinguishable from applicant’s invention as discussed above.

As such, significant limitations set forth in applicant’s claim 1 are neither disclosed nor made obvious in view of *Chishaki*. Moreover, the secondary reference of *Kin*, directed to a foldable or flip phone, do not supply the ingredients missing from *ChishakiI*. As such, the Patent and Trademark Office has failed to make out a *prima facie* case of obviousness under the provisions of 35 USC 103. Thus, the section 103 rejection must be withdrawn.

Applicant’s dependent claims are believed to be patentable at least for the same reasons indicated above with regard to independent claim 1.

Applicant’s newly submitted independent claim 13 is the method counterpart claim of apparatus claim 1 but omits many of the apparatus limitations contained therein. As such, applicant’s independent claim 13 is likewise deemed patentable over the cited art.

Furthermore, applicant's newly submitted claims 14 to 24 are patentable over the cited reference due to their novel and unobvious features, which are neither taught or suggested by the cited art.

Conclusion

It is submitted that the application is now in condition for allowance and an early indication of same is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 6/24/05

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